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Attorneys for Defendant
Google Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

THE AUTHORS GUILD, INC., Associational
Plaintiff, BETTY MILES, JOSEPH
GOULDEN, and JIM BOUTON, on behalf of
themselves and all other similarly situated,

Plaintiffs,

v.

GOOGLE INC.,

Defendant.

Civil Action No. 05 CV 8136 (DC)
ECF Case

**DECLARATION OF BRAD HASEGAWAIN SUPPORT OF DEFENDANT GOOGLE
INC.'S MOTION FOR SUMMARY JUDGMENT**

I, Brad Hasegawa, hereby declare under penalty of perjury:

1. I am an engineer at Google Inc. I submit this declaration in support of Defendant's Motion for Summary Judgment. I make this declaration based on personal knowledge of the facts and circumstances set forth herein.
2. My duties at Google include ensuring the security of Google Books. In this declaration, I discuss security measures for the type of books at issue in this case -- full-length, English-language books not known to be in the public domain and not in the Partner Program.
3. The Google servers which hold the complete scans of books and related information are not publicly accessible and are protected by the same security system Google employs to protect its own confidential information.
4. Google employs security measures to ensure users cannot recover the text of an entire snippet view book or even complete pages from those books. Examples of those measures follow. Google shows at most three snippets in any given book in response to a given search query. A user cannot cause the system to return different sets of snippets for the same search query on the About the Book page, and Google Books does not allow the searcher to copy the text of those snippets, instead presenting them in the form of an image snippet. The position of each snippet is fixed within the page, and does not represent a "sliding window" around the search term. Only the first responsive snippet available on any given page will be returned in response to a query—so even if the term appears eight times on the page, only one snippet from that page will be displayed. One of the snippets on each page is blacklisted (meaning that it will not be shown). In addition, at least one out of ten entire pages in each book is blacklisted.
5. These protections are designed to prevent a user from conducting multiple searches in order to reconstruct any substantial portion of a book. Even if the attacker had a

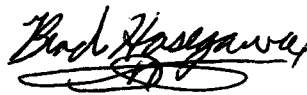
physical copy of the book in question in front of him, and used that physical copy to identify words appearing in successive snippets to use as the basis for the attack, the most complete patchwork of snippets he could end up with would still be missing at least one snippet from every page and at least 10% of all pages. (Of course, if the attacker had the book in front of him, it would be much easier for him to scan it than to try to circumvent Google's security measures.)

6. Protections are in place to prevent automated downloading of snippets. For example, image snippets are given web addresses (URLs) which do not fit a predictable pattern, and rate limits are placed on the number of requests from a particular user, and the amount of material shown from a particular book across all users.

7. I am aware of no security breaches resulting in unauthorized access to books, and due to my role in ensuring the security of Google Books, I would have been informed if any such breach had occurred.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 25th day of July, 2012 at Mountain View, California.

A handwritten signature in black ink, appearing to read "Brad Hasegawa", written over a horizontal line.

Brad Hasegawa